

**PLANNING COMMISSION**  
**Minutes of August 30, 2004, Meeting**

**Members Present:** Linda Snider, Joseph Dixon, Tom Dantzler, Rick Lucas, Mark Siegel

**Staff Present:** Steve Butler, Planning Director; Mike Scarey, Senior Planner; Holly Anderson, Senior Planner; Dale Schroeder, Public Works Director

**1. Call to Order:**

The meeting was called to order at 5:33 p.m.

**2. Approve Minutes of July 26, 2004, Meeting:**

A motion was made, seconded, and unanimously passed to approve the minutes of the July 26, 2004, meeting as presented.

**3. Old Business:**

**A. Continued Discussion about Proposed Amendments to the Wireless Communications Facility (WCF) Regulations**

Holly Anderson began the discussion by advising the Commissioners that the version of the master plan they had received inadvertently included various notations and strikeouts and underlines. The public hearing regarding this issue is scheduled for September 27, with Cityscape in attendance to make a presentation. Also, a presentation by Cityscape on the proposed regulations and master plan is scheduled before the City Council on September 28, with Council action anticipated on October 12.

Concern was raised regarding whether or not the proposed regulations clearly outlined requirements for equipment shelters and related fencing. The Commissioners were asked for input as to revised language.

Discussion was held about enclosures being allowed at 360 square feet (the City cannot preclude siting of facilities requiring enclosures larger than the 250 square feet now allowed); the public hearing scheduled for September 27 not allowing adequate time for in-depth review and discussion of the materials; the draft regulations being taken to the public hearing with two hierarchy options to allow the public input into that decision; and the entire document not being finalized until a final hierarchy is determined.

It was agreed that a clean draft of the regulations and definitions would be provided to all the Commissioners by September 13 for their review and study. The September 27th meeting will focus on additional discussion, with the public hearing and Cityscape presentation being postponed until after the Commission has completed their review.

A clarification was requested on language that states, "In residential districts, new freestanding WCFs shall only be permitted on zone lots whose principal use is not single-family residential, including but not limited to: schools, churches, synagogues, fire stations, parks, and other public property." The concern was it could potentially preclude a property owner from allowing a WCF shelter on their private property.

Steve Butler stated that staff would review the language to ensure it accurately reflected the intent of the regulation.

Holly Anderson advised that several Council Members had indicated they did not want single family residences competing to site freestanding facilities (including equipment enclosures), regardless of whether or not they would be concealed. Other Council Members were concerned only with the facilities/enclosures being concealed.

In answer to a question regarding height allowances on attached, concealed WCFs and collocation on an existing concealed freestanding WCFs, Holly Anderson explained that different methods of measurement would be used on freestanding facilities versus those attached to an existing building.

**B. Continued Review of 2004 Proposed Comprehensive Plan Amendments' "Final Docket" (with a focus on the Glossary, Land Use Plan Map Amendments #1-5, Informational Map Amendments #7-27, and Economic Vitality)**

Mike Scarey pointed out to the Commissioners that during the preliminary docket process, Map Amendment #16 was intended as an "umbrella" amendment to include all informational maps that weren't listed separately. When the Preliminary Docket was translated into the Final Docket, each informational map was assigned a separate amendment number to correspond with the appropriate element of the Comprehensive Plan. On the Final Docket, Map Amendment #27 continues to serve as an "umbrella" amendment until all the informational maps have been updated.

Mike Scarey then reviewed the Proposed Land Use Plan Map Amendments #1-5. If adopted by the City Council, the property owners who proposed Amendments #2 and #3 will be required to go through the City's Rezone process. Map Amendment #1 (because it is located on City-owned property), and Map Amendment #5 (per the Interlocal Agreement between the City and the Port of Seattle) will automatically be rezoned as part of the amendment approval process. The Planning Commission asked whether or not it was appropriate for the City to also rezone Map Amendments #2 and #3, in the interest of consistency. Staff responded that the two City-initiated rezones

were being proposed because: (1) the Hughes property (Map Amendment #2) is City-owned; and (2) the City/Port Interlocal Agreement requires the City to process both the Comprehensive Plan Land Use Plan Map and Zoning Map at the same time.

Discussion was also held about the Port's plan to construct a ten story parking garage at the site at South 160<sup>th</sup> Street and International Boulevard; the new rent-a-car maintenance facility planned for the Tukwila side of International Boulevard in the vicinity of South 160<sup>th</sup> Street; the shading and legend on Map Amendment #9; clarifying that Maps 19A and 19B contain the same information located in separate areas of the Comprehensive Plan.

Mike Scarey stated that, based on the complexity of the amendments, staff had prepared a schedule outlining at which meeting the various text amendments would be reviewed in their entirety. That schedule was provided to the Commissioners at their July 26 meeting. Tonight's discussion includes the Glossary (Text Amendment #1), and amendments to the Economic Vitality Element (Text Amendments #42 and #43).

In answer to a question about the borrow area, Mike Scarey explained that the subject site, located south of the airport in the vicinity of South 200<sup>th</sup> Street, had been purchased by the Port as part of noise mitigation when the second runway was built. An agreement between the City and the Port was reached whereby the Port would submit a future development plan for that area in exchange for approval to extract soil to be used for fill for the third runway.

### **Economic Vitality**

**Text Amendment #42** – Policy 7.2k was developed in response to the Planning Commission's request for a policy to take into account economic trends and market conditions affecting properties, and revisit Comprehensive Plan designations periodically if they appear to be inappropriate for the economic conditions affecting those areas.

Responding to a question about the update schedule, Steve Butler said that a public hearing has been scheduled for November 1 on all the proposed 2004 Comprehensive Plan Amendments. A recommendation from the Planning Commission will follow at their next meeting; Council adoption is anticipated on November 23.

Discussion was held about primary responsibility for implementation of numerous strategies in the Economic Vitality Element being assigned to the STEP Committee, and that input from that Committee would be appropriate. Staff will attempt to add this issue to the September 9 STEP Committee agenda.

**Text Amendment #43** – Amend Policy 7.4B to include tourism. This amendment was developed as a result of the community meetings held earlier this year.

## **Glossary**

Planning Commission comments have been incorporated, as well as a number of changes that clarify definitions in the SeaTac context.

Discussion regarding the Glossary included a clarification regarding the Neighborhood Commercial Zone (description taken from the Zoning Code), language relative to high occupancy vehicle should be revised to be consistent with single occupancy vehicle language, revising language in the Passive Recreation definition to accurately apply to SeaTac, and that the definition of Public Facilities was currently incomplete.

### **4. New Business:**

#### **A. Initial Review of Several Proposed Zoning Code Amendments Related to:**

##### **Clarifying the Parking Garage Standards within the City Center**

Steve Butler explained that when the City Center Standards were originally developed, the intent was to allow one stand-alone parking structure per development site with three hundred parking spaces dedicated to commercial park and fly, or in the case where a density bonus is triggered through open space or public art, additional parking spaces for commercial park and fly would be allowed. Each additional parking space would be reserved for other development on the site. Current code language is somewhat unclear; therefore, the amended language is intended to specifically outline regulations consistent with the original intent.

Discussion was held about a specific project that has been proposed within the City which would be grandfathered; the specific location of language relative to allowing 300 parking spaces; the requirements for retail space on a development site remaining intact; potential impacts if it appears that the City is amending regulations to accommodate individual developments in lieu of negotiating development agreements.

Steve Butler explained that the purpose of the code amendment is to close a loophole in the codes, not to benefit a particular developer.

##### **Creating a New Definition for a “Mural”**

Holly Anderson reviewed the new definitions for a mural and a mural sign as follows:

Section 15.16.020(30.1) Mural – A design or representation without letters, numbers, or trademarked graphics, that is painted or drawn on the exterior of a structure façade that does not advertise a business, product, service, or activity of the business

contained within the building or structure. A mural may have the signature of the person painting the sign, or copywrite ownership of the mural painting.

Section 15.16.020(30.2) Mural Sign – A design, or representation with letters, numbers, or trademarked graphics, that is painted or drawn on the exterior of a structure façade that advertises the business, product, service, or activity contained within the building or structure. A Mural Sign will include the name of the business or activity being conducted within the building or structure. Off-premises mural signs are not permitted

A mural sign would be required to comply with the sign code relative to the maximum amount of building façade signage allowed, currently 10%.

Discussion was held about prohibiting both a mural and a sign on the same building façade.

It was suggested that photographs be taken of murals located in West Seattle for use as examples, and that an example of a mural on a building and a mural sign on the same building be presented for comparison purposes.

### **Adding an Exception for Front Yard Setbacks in the Urban Center**

Holly Anderson reviewed proposed language to add an exception for front yard setbacks in the Urban Center as follows:

#### **Section 15.13.110 B Special Standards for the CB-C, ABC, UH-UHR and O/CM Zones**

15.13.110 B(1a) – In addition to the minimum front yard setback specified in SMC 15.13.010, a maximum front yard setback of ten (10) feet shall be applied to new development and major redevelopment. A maximum front yard setback of ten (10) feet shall mean that at least 50% of the edge of the primary building shall be located no further than ten (10) feet from the property line.

15.13.110 B(1.d.viii) – Utility easements; provided the area within such easements is used for pedestrian streetscape, or landscaping. In such cases 50% of the edge of the primary building shall be located at the edge of the easement. Any setback from the easement shall be landscaped or used for pedestrian streetscape.

15.13.110 B(2.a.i) – Fifty percent (50%) of the square footage area of landscaping normally required along the street frontage shall be placed instead as landscaped plazas, roof-top gardens, and other pedestrian amenities accessible to the public during business hours. Additionally, street trees shall be planted within the public right-of-way in locations and amounts to be determined by the City Manager or designee.

By way of background, Holly Anderson explained that as part of Phase IV of International Boulevard Improvements, Puget Sound Energy proposes establishing a 15' easement adjacent to its high tension power lines in the interest of safety. (Some affected properties are located in the Urban Center and are required to meet a 10' maximum setback.) The purpose of the code amendment would be to clarify that an exception could be granted to the maximum setback where there are utility easements.

Dale Schroeder advised that it was cost-prohibitive to underground the high voltage lines; this decision is consistent with other jurisdictions along International Boulevard (secondary lines will be underground). He further stated that Puget Sound Energy's safety standards require a 15' easement from the back side of the high voltage lines.

Discussion was held about this issue relative to Phase I, II and III of International Boulevard Improvements; the proposed amendments not affecting existing businesses/properties until redevelopment occurs; negotiations between property owners and Puget Sound Energy for compensation; avoiding development of regulations that render a property unbuildable; regulations to ensure that the 15' easement does not consist of gravel or weeds.

Tom Rousch, 21010 International Boulevard, stated that Puget Sound Energy (PSE) had approached him regarding the 15' easement. He then came to the City because PSE's requirement that only landscaping would be allowed within the 15' easement lowers his property value. He asked that the City postpone amending the regulations until after Puget Sound Energy has negotiated compensation with all affected property owners. Further, the inconsistency of certain properties at a 0'-10' setback, and others at a 15' setback is an issue.

Discussion was held about requiring Puget Sound Energy to install 60' high poles; current code prohibiting parking between the front property line and the structure on the site; PSE, the property owners, and the City meeting to review pertinent issues; current discussion between the City and PSE regarding the utility easement areas; street trees not being affected by the easement requirements (they are on public property); negative impacts relative to usability of properties if the proposed amendments are adopted; who would be required to maintain the 15' easement; whether property owners' ability to negotiate would be affected if new regulations were in place.

Dale Schroeder expressed concern regarding the City's work on International Boulevard being slowed if PSE is not actively negotiating with property owners. Further, the City postponing adoption of amended regulations could potentially result in PSE negotiating easements and conditions the City may not support. Mr. Schroeder recommended these issues be researched before proceeding.

If this proposed Code amendment is not able to be postponed, the Planning Commission asked staff to check and see if a representative from PSE would give a

presentation to the Planning Commission, for which all affected property owners would be invited to attend.

Holly Anderson stated that current code allows the City Manager or designee to grant a waiver from the maximum setback for certain designs or based on redevelopment of sites unable to meet current code. Staff has discussed this issue at length, and it was decided that a letter would be sent informing PSE of the City's inclination to grant waivers in these situations; such discussion is in no way intended to disadvantage the property owner. City code still allows building up to 0' so PSE should grant the full value of the 15' easement.

It was suggested that sending such a letter may be premature.

These issues are tentatively scheduled for a public hearing on September 27.

#### **B. Quarterly Review of the Planning Commission's 2004 Goals**

Steve Butler reviewed the Planning Commission's 2004 Goals. Various items were discussed as follows:

Investigate availability of Homeland Security matching funds for public and private infrastructure improvements (security related).

- This issue is primarily the responsibility of the Police and Fire Departments.
- Whether or not federal funding or grant monies may be available to defer security costs for airlines, car rental agencies, hotels, etc.
- Security cameras installed by the City in the public right-of-way being able to provide a panoramic view to aid private business owners.

Discussion was held about scheduling a joint meeting with the City Council. Steve Butler advised that a joint meeting may be scheduled in the near future to brief both the City Council and Planning Commission on light rail issues. It was suggested that a separate joint meeting be scheduled with either no time constraints or a short agenda to ensure there was time to address all agenda items adequately.

Discussion was held about the annual joint Planning Commission meeting. Meetings with Tukwila and Des Moines were considered; however, a decision is not necessary until after the first of the year.

#### **5. Commission Liaison's Report:**

The August 12 Land Use & Parks Committee meeting agenda included the following items: (1) Discussion about Coordinating SeaTac's Domestic Animal Regulations and

King County Animal Control Division's Requirements; (2) Discussion about a Proposed Zoning Code Amendment Distinguishing a Mural from a Sign; (3) Follow-Up Discussion about Forming a Neighborhood Revitalization Committee; (4) Update on the 2004 Comprehensive Plan Amendment Process; (5) Discussion about Reasonable Measures Response to SeaTac's Residential Growth Target; (6) Update on Sound Transit's Light Rail Design and Permitting; (7) Discussion about a Proposed Zoning Code Amendment Regarding Front Setbacks in the Urban Center; (8) Update about Proposed Wireless Communication Facilities Regulations; (9) Update about the Need to Find a New Hearing Examiner; (10) Discussion about a Proposed Zoning Code Amendment Regarding Parking Garages in the City Center.

Tom Dantzler reported on a meeting regarding the high capacity transit cross-valley connector, and recommended a member of the Committee make a presentation to the City Council and Planning Commission jointly.

**6. Planning Director's Report:**

The next Land Use & Parks Committee meeting is scheduled for September 9.

**7. Adjournment:**

The meeting was adjourned at 9:00 p.m.